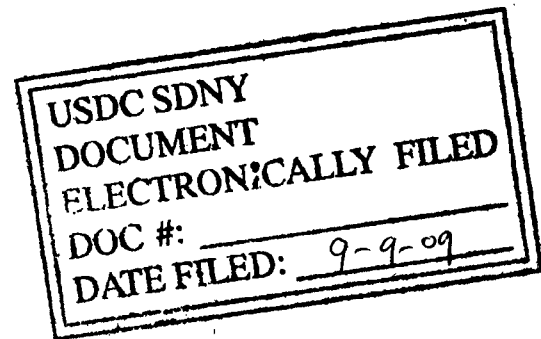


**THE JAPAN WRITERS' ASSOCIATION**  
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September 4, 2009

The Honorable Denny Chin  
United States District Judge  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, NY 10007



Dear Judge Chin,

We, The Japan Writers' Association, would like to inform you that the following policies were approved at our board meeting held on July 6.

For the settlement between the author and publisher plaintiffs, the Authors Guild, the Association of American Publishers and Google Inc., we fully support the plaintiff's efforts and position. For the settlement agreement, we basically support its contents.

Although we do not approve of the illegal reproduction Google carried out without permission from the copyright holders on the ground that it is fair use, we highly appreciate the fact that the class action filed by the Authors Guild and the Association of American Publishers protects the rights of authors and publishers around the world from Google's illegal activities. We also appreciate the scheme of the settlement agreement in which a neutral body called Registry manages a database of claiming rightsholders, ensures proper use of the works of authors who authorized the use of their works, and provides opportunities for such works to reach future readers.

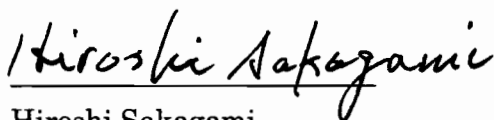
We strongly objected to the illegal reproduction undertaken by Google, which is never allowed under Japanese law. On the other hand, because authors and right holders outside the USA, where the copyright system is different, were forced to decide whether to participate in the settlement in a short time and without being given any chance to express their opinions, we recommended to our member

authors and right holders who have committed rights management to us that they participate in the settlement and request their specific works to be removed from Google's database ("removal from database").

At the end of May, Mr. Aiken, Executive Director of the Authors Guild, and Mr. Boni and Mr. Cunard, counsel for the plaintiffs, came to Japan to meet with our and other rights groups to discuss the settlement. They sincerely apologized to us for not having informed us of the contents of the settlement agreement beforehand, which caused confusion among those involved in Japan, explaining that they were unable to do so because private settlement negotiations in the U.S. are confidential. They also explained in detail about the contents of the agreement, their efforts to overcome differences between Japan and the USA in copyright laws and circumstances surrounding the publishing industry, and the results obtained. After hearing all of these, we fully understood that the plaintiffs made a settlement to protect the U.S. copyright interests held by authors and right holders all over the world from Google's behavior.

As a result, we decided to recommend that many authors and right holders choose the option of excluding their works from all Display Uses after participating in the settlement ("exclusion from all Display Uses") so that they can have more flexibility in their future choices.

By April 5, 2011, some authors and right holders may instruct "removal from database", or may choose to authorize Display Uses of their works based on an agreement with the publisher. However, if the majority of authors participate in the settlement and select "exclusion from all Display Uses" for the time being, we believe it will serve to back the plaintiffs' commendable aim of achieving full realization of the settlement.



Hiroshi Sakagami

President

The Japan Writers' Association